

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

MARCEL HARPER

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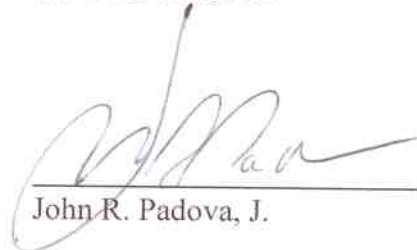
CIVIL ACTION NO. 10-1772

CRIMINAL ACTION NO. 05-170-02

**ORDER**

**AND NOW**, this 17th day of December, 2010, upon consideration of Marcel Harper's *pro se* Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 (Crim. Docket No. 398) and all documents filed in connection therewith, **IT IS HEREBY ORDERED** that the Motion is **DENIED**. As Harper has failed to make a substantial showing of the denial of a constitutional right, there is no basis for the issuance of a certificate of appealability. The Clerk is directed to **CLOSE** Civil Action No. 10-1772.

BY THE COURT:



John R. Padova, J.